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Old South Leaflets.

No. 109.

The Ground of the Free School System.

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FROM HIS TENTH ANNUAL REPORT AS SECRETARY OF THE MASSACHUSETTS STATE BOARD OF EDUCATION, 1846.

The Pilgrim Fathers amid all their privations and dangers conceived the magnificent idea, not only of a universal, but of a free education for the whole people. To find the time and the means to reduce this grand conception to practice, they stinted themselves, amid all their poverty, to a still scantier pittance; amid all their toils, they imposed upon themselves still more burdensome labors; and, amid all their perils, they braved still greater dangers. Two divine ideas filled their great hearts,—their duty to God and to posterity. For the one they built the church, for the other they opened the school. Religion and knowledge,—two attributes of the same glorious and eternal truth, and that truth the only one on which immortal or mortal happiness can be securely founded!

It is impossible for us adequately to conceive the boldness of the measure which aimed at universal education through the establishment of free schools. As a fact, it had no precedent in the world's history; and, as a theory, it could have been refuted and silenced by a more formidable array of argument and experience than was ever marshalled against any other institution of human origin. But time has ratified its soundness. Two centuries of successful operation now proclaim it to be as wise as it was courageous, and as beneficent as it was disinterested. Every community in the civilized world awards it the meed of praise; and states at home and nations abroad, in the

LA 210
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order of their intelligence, are copying the bright example. What we call the enlightened nations of Christendom are approaching, by slow degrees, to the moral elevation which our ancestors reached at a single bound. . . .

The alleged ground upon which the founders of our free-school system proceeded when adopting it did not embrace the whole argument by which it may be defended and sustained. Their insight was better than their reason. They assumed a ground, indeed, satisfactory and convincing to Protestants; but at that time only a small portion of Christendom was Protestant, and even now only a minority of it is so. The very ground on which our free schools were founded, therefore, if it were the only one, would have been a reason with more than half of Christendom for their immediate abolition.

In later times, and since the achievement of American independence, the universal and ever-repeated argument in favor of free schools has been that the general intelligence which they are capable of diffusing, and which can be imparted by no other human instrumentality, is indispensable to the continuance of a republican government. This argument, it is obvious, assumes, as a *postulatum*, the superiority of a republican over all other forms of government; and, as a people, we religiously believe in the soundness both of the assumption and of the argument founded upon it. But, if this be all, then a sincere monarchist, or a defender of arbitrary power, or a believer in the divine right of kings, would oppose free schools for the identical reasons we offer in their behalf. . . .

Again, the expediency of free schools is sometimes advocated on grounds of political economy. An educated people is always a more industrious and productive people. Intelligence is a primary ingredient in the wealth of nations. . . . The moralist, too, takes up the argument of the economist. He demonstrates that vice and crime are not only prodigals and spendthrifts of their own, but defrauders and plunderers of the means of others, that they would seize upon all the gains of honest industry and exhaust the bounties of Heaven itself without satiating their rapacity; and that often in the history of the world whole generations might have been trained to industry and virtue by the wealth which one enemy to his race has destroyed.

And yet, notwithstanding these views have been presented a thousand times with irrefutable logic, and with a divine elo-

quence of truth which it would seem that nothing but combined stolidity and depravity could resist, there is not at the present time, [1846] with the exception of the States of New England and a few small communities elsewhere, a country or a state in Christendom which maintains a system of free schools for the education of its children. . . .

I believe that this amazing dereliction from duty, especially in our own country, originates more in the false notions which men entertain *respecting the nature of their right to property* than in any thing else. In the district school meeting, in the town meeting, in legislative halls, everywhere, the advocates for a more generous education could carry their respective audiences with them in behalf of increased privileges for our children, were it not instinctively foreseen that increased privileges must be followed by increased taxation. Against this obstacle, argument falls dead. The rich man who has no children declares that the exaction of a contribution from him to educate the children of his neighbor is an invasion of his rights of property. The man who has reared and educated a family of children denounces it as a double tax when he is called upon to assist in educating the children of others also; or, if he has reared his own children without educating them, he thinks it peculiarly oppressive to be obliged to do for others what he refrained from doing even for himself. Another, having children, but disdainng to educate them with the common mass, withdraws them from the public school, puts them under what he calls "selecter influences," and then thinks it a grievance to be obliged to support a school which he contemns. Or, if these different parties so far yield to the force of traditionary sentiment and usage, and to the public opinion around them, as to consent to do something for the cause, they soon reach the limit of expense at which their admitted obligation or their alleged charity terminates.

It seems not irrelevant, therefore, in this connection, and for the purpose of strengthening the foundation on which our free-school system reposes, to inquire into the nature of a man's right to the property he possesses, and to satisfy ourselves respecting the question whether any man has such an indefeasible title to his estates or such an absolute ownership of them as renders it unjust in the government to assess upon him his share of the expenses of educating the children of the community up to such a point as the nature of the institutions under which he lives, and the well-being of society, require.

I believe in the existence of a great, immortal, immutable principle of natural law, or natural ethics,—a principle antecedent to all human institutions, and incapable of being abrogated by any ordinance of man,—a principle of divine origin, clearly legible in the ways of Providence as those ways are manifested in the order of nature and in the history of the race, which proves the *absolute right* to an education of every human being that comes into the world, and which, of course, proves the correlative duty of every government to see that the means of that education are provided for all.

In regard to the application of this principle of natural law,—that is, in regard to the extent of the education to be provided for all at the public expense,—some differences of opinion may fairly exist under different political organizations; but, under our republican government, it seems clear that the minimum of this education can never be less than such as is sufficient to qualify each citizen for the civil and social duties he will be called to discharge,—such an education as teaches the individual the great laws of bodily health, as qualifies for the fulfilment of parental duties, as is indispensable for the civil functions of a witness or a juror, as is necessary for the voter in municipal and in national affairs, and, finally, as is requisite for the faithful and conscientious discharge of all those duties which devolve upon the inheritor of a portion of the sovereignty of this great republic. . . . So far is it from being a wrong or a hardship to demand of the possessors of property their respective shares for the prosecution of this divinely ordained work, that they themselves are guilty of the most far-reaching injustice when they seek to resist or to evade the contribution. The complainers are the wrong-doers. The cry, “Stop thief!” comes from the thief himself.

To any one who looks beyond the mere surface of things, it is obvious that the primary and natural elements or ingredients of all property consist in the riches of the soil, in the treasures of the sea, in the light and warmth of the sun, in the fertilizing clouds and streams and dews, in the winds, and in the chemical and vegetative agencies of Nature. In the majority of cases, all that we call *property*, all that makes up the valuation or inventory of a nation’s capital, was prepared at the creation, and was laid up of old in the capacious storehouses of Nature. For every unit that a man earns by his own toil or skill, he receives hundreds and thousands, without cost and without

recompense, from the all-bountiful Giver. A proud mortal, standing in the midst of his luxuriant wheat-fields or cotton-plantations, may arrogantly call them his own; yet what barren wastes would they be, did not Heaven send down upon them its dews and its rains, its warmth and its light, and sustain, for their growth and ripening, the grateful vicissitude of the seasons! It is said that from eighty to ninety per cent. of the very substance of some of the great staples of agriculture are not taken from the earth, but are absorbed from the air; so that these productions may more properly be called fruits of the atmosphere than of the soil. Who prepares this elemental wealth? Who scatters it, like a sower, through all the regions of the atmosphere, and sends the richly freighted winds, as His messengers, to bear to each leaf in the forest, and to each blade in the cultivated field, the nourishment which their infinitely varied needs demand? Aided by machinery, a single manufacturer performs the labor of hundreds of men. Yet what could he accomplish without the weight of the waters which God causes ceaselessly to flow, or without those gigantic forces which he has given to steam? And how would the commerce of the world be carried on, were it not for those great laws of Nature—of electricity, of condensation, and of rarefaction—that give birth to the winds, which, in conformity to the will of Heaven and not in obedience to any power of man, forever traverse the earth, and offer themselves as an unchartered medium for interchanging the products of all the zones? These few references show how vast a proportion of all the wealth which men presumptuously call their own, because they claim to have earned it, is poured into their lap, unasked and unthanked for, by the Being so infinitely gracious in his physical as well as in his moral bestowments.

But for whose subsistence and benefit were these exhaustless treasuries of wealth created? Surely not for any one man, nor for any one generation, but for the subsistence and benefit of the whole race from the beginning to the end of time. They were not created for Adam alone, nor for Noah alone, nor for the first discoverers or colonists who may have found or have peopled any part of the earth's ample domain. No. They were created for the race collectively, but to be possessed and enjoyed in succession as the generations, one after another, should come into existence,—equal rights, with a successive enjoyment of them. If we consider the earth and the fulness

thereof as one great habitation or domain, then each generation, subject to certain modifications for the encouragement of industry and frugality,—which modifications it is not necessary here to specify,—has only a life-lease in them. There are certain reasonable regulations, indeed, in regard to the outgoing and the incoming tenants,—regulations which allow to the outgoing generations a brief control over their property after they are called upon to leave it, and which also allow the incoming generations to anticipate a little their full right of possession. But, subject to these regulations, nature ordains a perpetual entail and transfer from one generation to another of all property in the great, substantive, enduring elements of wealth,—in the soil, in metals and minerals, in precious stones, and in more precious coal and iron and granite, in the waters and winds and sun; and no one man, nor any one generation of men, has any such title to or ownership in these ingredients and substantial of all wealth that his right is evaded when a portion of them is taken for the benefit of posterity.

This great principle of natural law may be illustrated by a reference to some of the unstable elements, in regard to which each individual's right of *property* is strongly qualified in relation to his contemporaries, even while he has the acknowledged right of *possession*. Take the streams of water or the wind, for an example. A stream, as it descends from its sources to its mouth, is successively the property of all those through whose land it passes. My neighbor who lives above me owned it yesterday, while it was passing through his lands: I own it to-day, while it is descending through mine; and the contiguous proprietor below will own it to-morrow, while it is flowing through his, as it passes onward to the next. But the rights of these successive owners are not absolute and unqualified. They are limited by the rights of those who are entitled to the subsequent possession and use. While a stream is passing through my lands, I may not corrupt it, so that it shall be offensive or valueless to the adjoining proprietor below. I may not stop it in its downward course, nor divert it into any other direction, so that it shall leave this channel dry. I may lawfully use it for various purposes—for agriculture, as in irrigating lands or watering cattle; for manufactures, as in turning wheels, etc.;—but, in all my uses of it, I must pay regard to the rights of my neighbors lower down. So no two proprietors, nor any half-dozen proprietors, by conspiring together, can de-

prive an owner, who lives below them all, of the ultimate right which he has to the use of the stream in its descending course. We see here, therefore, that a man has certain qualified rights—rights of which he cannot lawfully be divested without his own consent—in a stream of water before it reaches the limits of his own estate, at which latter point he may somewhat more emphatically call it his own. And, in this sense, a man who lives at the outlet of a river, on the margin of the ocean, has certain incipient rights in those fountain-sources that well up from the earth at the distance of thousands of miles. . . .

In one respect, the winds illustrate our relative rights and duties even better than the streams. In the latter case the rights are not only successive, but always in the same order of priority, those of the owner above necessarily preceding those of the owner below. . . . In the case of the winds, however, which blow from every quarter of the heavens, I may have the prior right to-day; but, with a change in their direction, my neighbor may have it to-morrow. If, therefore, to-day, when the wind is going from me to him, I should usurp the right to use it to his detriment, to-morrow, when it is coming from him to me, he may inflict retributive usurpation upon me.

The light of the sun, too, is subject to the same benign and equitable regulations. As the waves of this ethereal element pass by me, I have a right to bask in their genial warmth or to employ their quickening powers; but I have no right, even on my own land, to build up a wall mountain-high that shall eclipse the sun to my neighbor's eyes.

Now all these great principles of natural law which define and limit the rights of neighbors and contemporaries are incorporated into and constitute a part of the civil law of every civilized people; and they are obvious and simple illustrations of the great proprietary laws by which individuals and generations hold their rights in the solid substance of the globe, in the elements that move over its surface, and in the chemical and vital powers with which it is so marvellously endued. As successive owners on a river's bank have equal rights to the waters that flow through their respective domains, subject only to the modification that the proprietors nearer the stream's source must have precedence in the enjoyment of their rights over those lower down, so the rights of all the generations of mankind to the earth itself, to the streams that fertilize it, to the winds that purify it, to the vital principles that animate it,

and to the reviving light, are common rights, though subject to similar modifications in regard to the preceding and succeeding generations of men. . . .

Is not the inference irresistible, then, that no man, by whatever means he may have come into possession of his property, has any natural right, any more than he has a moral one, to hold it, or to dispose of it, irrespective of the needs and claims of those who, in the august processions of the generations, are to be his successors on the stage of existence? Holding his rights subject to their rights, he is bound not to impair the value of their inheritance either by commission or by omission.

Generation after generation proceeds from the creative energy of God. Each one stops for a brief period upon the earth, resting, as it were, only for a night, like migratory birds upon their passage, and then leaving it forever to others whose existence is as transitory as its own; and the migratory flocks of water-fowl which sweep across our latitudes in their passage to another clime have as good a right to make a perpetual appropriation to their own use of the lands over which they fly as any one generation has to arrogate perpetual dominion and sovereignty, for its own purposes, over that portion of the earth which it is its fortune to occupy during the brief period of its temporal existence.

Another consideration bearing upon this arrogant doctrine of absolute ownership or sovereignty has hardly less force than the one just expounded. We have seen how insignificant a portion of any man's possessions he can claim in any proper and just sense *to have earned*, and that, in regard to all the residue, he is only taking his turn in the use of a bounty bestowed in common, by the Giver of all, upon his ancestors, upon himself, and upon his posterity,—a line of indefinite length, in which he is but a point. But this is not the only deduction to be made from his assumed rights. The *present* wealth of the world has an additional element in it. Much of all that is capable of being earned by man has been earned by our predecessors, and has come down to us in a solid and enduring form. We have not erected all the houses in which we live, nor constructed all the roads on which we travel, nor built all the ships in which we carry on our commerce with the world. We have not reclaimed from the wilderness all the fields whose harvests we now reap; and, if we had no precious metals or stones or pearls but such as we ourselves

had dug from the mines or brought up from the bottom of the ocean, our coffers and our caskets would be empty indeed. But, even if this were not so, whence came all the arts and sciences, the discoveries and the inventions, without which, and without a common right to which, the valuation of the property of a whole nation would scarcely equal the inventory of a single man,—without which, indeed, we should now be in a state of barbarism? Whence came a knowledge of agriculture, without which we should have so little to reap? or a knowledge of astronomy, without which we could not traverse the oceans? or a knowledge of chemistry and mechanical philosophy, without which the arts and trades could not exist? Most of all this was found out by those who have gone before us; and some of it has come down to us from a remote antiquity. Surely, all these boons and blessings belong as much to posterity as to ourselves. They have not descended to us to be arrested and consumed here or to be sequestered from the ages to come. Cato and Archimedes, and Kepler and Newton, and Franklin and Arkwright and Fulton, and all the bright host of benefactors to science and art, did not make or bequeath their discoveries or inventions to benefit any one generation, but to increase the common enjoyments of mankind to the end of time. So of all the great lawgivers and moralists who have improved the civil institutions of the state, who have made it dangerous to be wicked, or, far better than this, have made it hateful to be so. Resources developed and property acquired after all these ages of preparation, after all these facilities and securities, accrue, not to the benefit of the possessor only, but to that of the next and of all succeeding generations.

Surely, these considerations limit still more extensively that absoluteness of ownership which is so often claimed by the possessors of wealth.

But sometimes the rich farmer, the opulent manufacturer, or the capitalist, when sorely pressed with his natural and moral obligation to contribute a portion of his means for the education of the young, replies,—either in form or in spirit,—“My lands, my machinery, my gold, and my silver are mine: may I not do what I will with my own?” There is one supposable case, and only one, where this argument would have plausibility. If it were made by an isolated, solitary being,—a being having no relations to a community around him, having no ancestors to whom he had been indebted for ninety-nine

parts in every hundred of all he possesses, and expecting to leave no posterity after him,— it might not be easy to answer it. If there were but one family in this Western hemisphere and only one in the Eastern hemisphere, and these two families bore no civil and social relations to each other, and were to be the first and last of the whole race, it might be difficult, except on very high and almost transcendental grounds, for either one of them to show good cause why the other should contribute to help educate children not his own. And perhaps the force of the appeal for such an object would be still further diminished if the nearest neighbor of a single family upon our planet were as far from the earth as Uranus or Sirius. In self-defence or in selfishness one might say to the other: “What are your fortunes to me? You can neither benefit nor molest me. Let each of us keep to his own side of the planetary spaces.” But is this the relation which any man amongst us sustains to his fellows? In the midst of a populous community to which he is bound by innumerable ties, having had his own fortune and condition almost predetermined and foreordained by his predecessors, and being about to exert upon his successors as commanding an influence as has been exerted upon himself, the objector can no longer shrink into his individuality, and disclaim connection and relationship with the world at large. He cannot deny that there are thousands around him on whom he acts, and who are continually reacting upon him. The earth is much too small or the race is far too numerous to allow us to be hermits, and therefore we cannot adopt either the philosophy or the morals of hermits. All have derived benefits from their ancestors; and all are bound, as by an oath, to transmit those benefits, even in an improved condition, to posterity. We may as well attempt to escape from our own personal identity as to shake off the threefold relation which we bear to others,— the relation of an associate with our contemporaries, of a beneficiary of our ancestors, of a guardian to those who, in the sublime order of Providence, are to succeed us. Out of these relations, manifest duties are evolved. The society of which we necessarily constitute a part must be preserved; and, in order to preserve it, we must not look merely to what one individual or one family needs, but to what the whole community needs, not merely to what one generation needs, but to the wants of a succession of generations. To draw conclusions without considering these facts is to leave out the most important part of the premises.

A powerfully corroborating fact remains untouched. Though the earth and the beneficent capabilities with which it is endued belong in common to the race, yet we find that previous and present possessors have laid their hands upon the whole of it,—have left no part of it unclaimed and unappropriated. They have circumnavigated the globe; they have drawn lines across every habitable portion of it, and have partitioned amongst themselves not only its whole area or superficial contents, but have claimed it down to the centre and up to the concave,—a great inverted pyramid for each proprietor,—so that not an unclaimed rood is left, either in the caverns below or in the aërial spaces above, where a new adventurer upon existence can take unresisted possession. They have entered into a solemn compact with each other for the mutual defence of their respective allotments. They have created legislators and judges and executive officers, who denounce and inflict penalties even to the taking of life; and they have organized armed bands to repel aggression upon their claims. Indeed, so grasping and rapacious have mankind been in this particular, that they have taken more than they could use, more than they could perambulate and survey, more than they could see from the top of the masthead or from the highest peak of the mountain. There was some limit to their physical power of taking possession, but none to the exorbitancy of their desires. Like robbers, who divide their spoils before they know whether they shall find a victim, men have claimed a continent while still doubtful of its existence, and spread out their title from ocean to ocean before their most adventurous pioneers had ever seen a shore of the realms they coveted. The whole planet, then, having been appropriated,—there being no waste or open lands from which the new generations may be supplied as they come into existence,—have not those generations the strongest conceivable claim upon the present occupants for that which is indispensable to their well-being? They have more than a pre-emptive, they have a possessory right to some portion of the issues and profits of that general domain, all of which has been thus taken up and appropriated. A denial of this right by the present possessors is a breach of trust, a fraudulent misuse of power given and of confidence implied. On mere principles of political economy, it is folly; on the broader principles of duty and morality, it is embezzlement.

It is not at all in contravention of this view of the subject

that the adult portion of society does take, and must take, upon itself the control and management of all existing property until the rising generation has arrived at the age of majority. Nay, one of the objects of their so doing is to preserve the rights of the generation which is still in its minority. Society, to this extent, is only a trustee managing an estate for the benefit of a part owner or of one who has a reversionary interest in it. This civil regulation, therefore, made necessary even for the benefit of both present and future possessors, is only in furtherance of the great law under consideration.

Coincident, too, with this great law, but in no manner superseding or invalidating it, is that wonderful provision which the Creator has made for the care of offspring in the affection of their parents. Heaven did not rely merely upon our perceptions of duty toward our children and our fidelity in its performance. A powerful, all-mastering instinct of love was therefore implanted in the parental and especially in the maternal breast, to anticipate the idea of duty and to make duty delightful. Yet the great doctrine founded upon the will of God as made known to us in the natural order and relation of things would still remain the same, though all this beautiful portion of our moral being, whence parental affection springs, were a void and a nonentity. Emphatically would the obligations of society remain the same for all those children who have been bereaved of parents, or who, worse than bereavement, have only monster parents of intemperance or cupidity, or of any other of those forms of vice that seem to suspend or to obliterate the law of love in the parental breast. For these society is doubly bound to be a parent, and to exercise all that rational care and providence which a wise father would exercise for his own children.

If the previous argument began with sound premises, and has been logically conducted, then it has established this position,—that a vast portion of the present wealth of the world either consists in, or has been immediately derived from, those great natural substances and powers of the earth which were bestowed by the Creator alike on all mankind; or from the discoveries, inventions, labors, and improvements of our ancestors, which were alike designed for the common benefit of all their descendants. The question now arises, *At what time* is this wealth to be transferred from a preceding to a succeeding generation? At what point are the latter to take possession of

it or to derive benefit from it? or at what time are the former to surrender it in their behalf? Is each existing generation, and each individual of an existing generation, to hold fast to his possessions until death relaxes his grasp? or is something of the right to be acknowledged, and something of the benefit to be yielded, beforehand? It seems too obvious for argument that the latter is the only alternative. If the incoming generation have no rights until the outgoing generation have actually retired, then is every individual that enters the world liable to perish on the day he is born. According to the very constitution of things, each individual must obtain sustenance and succor as soon as his eyes open in quest of light or his lungs gasp for the first breath of air. His wants cannot be delayed until he himself can supply them. If the demands of his nature are ever to be answered, they must be answered years before he can make any personal provision for them, either by the performance of any labor or by any exploits of skill. The infant must be fed before he can earn his bread, he must be clothed before he can prepare garments, he must be protected from the elements before he can erect a dwelling; and it is just as clear that he must be instructed before he can engage or reward a tutor. A course contrary to this would be the destruction of the young, that we might rob them of their rightful inheritance. Carried to its extreme, it would be the act of Herod, seeking in a general massacre the life of one who was supposed to endanger his power. Here, then, the claims of the succeeding generation, not only upon the affection and the care, but upon the *property*, of the preceding one, attach. God having given to the second generation as full and complete a right to the incomes and profits of the world as he has given to the first, and to the third generation as full and complete a right as he has given to the second, and so on while the world stands, it necessarily follows that children must come into a partial and qualified possession of these rights by the paramount law of nature, as soon as they are born. No human enactment can abolish or countervail this paramount and supreme law; and all those positive and often arbitrary enactments of the civil code, by which, for the encouragement of industry and frugality, the possessor of property is permitted to control it for a limited period after his decease, must be construed and executed in subservience to this sovereign and irrevocable ordinance of nature.

Nor is this transfer always, or even generally, to be made in *kind*, but according to the needs of the recipient. The recognition of this principle is universal. A guardian or trustee may possess lands while the ward or owner under the trust may need money, or the former may have money while the latter need raiment or shelter. The form of the estate must be changed, if need be, and adapted to the wants of the receiver.

The claim of a child, then, to a portion of pre-existent property, begins with the first breath he draws. The new-born infant must have sustenance and shelter and care. If the natural parents are removed or parental ability fails, in a word, if parents either cannot or will not supply the infant's wants,—then society at large—the government having assumed to itself the ultimate control of all property—is bound to step in and fill the parent's place. To deny this to any child would be equivalent to a sentence of death, a capital execution of the innocent,—at which every soul shudders. It would be a more cruel form of infanticide than any which is practised in China or in Africa.

But to preserve the animal life of a child only, and there to stop, would be, not the bestowment of a blessing or the performance of a duty, but the infliction of a fearful curse. A child has interests far higher than those of mere physical existence. Better that the wants of the natural life should be disregarded than that the higher interests of the character should be neglected. If a child has any claim to bread to keep him from perishing, he has a far higher claim to knowledge to preserve him from error and its fearful retinue of calamities. If a child has any claim to shelter to protect him from the destroying elements, he has a far higher claim to be rescued from the infamy and perdition of vice and crime.

All moralists agree, nay, all moralists maintain, that a man is as responsible for his omissions as for his commissions; that he is as guilty of the wrong which he could have prevented, but did not, as for that which his own hand has perpetrated. They, then, who knowingly withhold sustenance from a new-born child, and he dies, are guilty of infanticide. And, by the same reasoning, they who refuse to enlighten the intellect of the rising generation are guilty of degrading the human race. They who refuse to train up children in the way they should go are training up incendiaries and madmen to destroy property and life, and to invade and pollute the sanctuaries of soci-

ety. In a word, if the mind is as real and substantive a part of human existence as the body, then mental attributes, during the periods of infancy and childhood, demand provision at least as imperatively as bodily appetites. The time when these respective obligations attach corresponds with the periods when the nurture, whether physical or mental, is needed. As the right of sustenance is of equal date with birth, so the right of intellectual and moral training begins at least as early as when children are ordinarily sent to school. At that time, then, by the irrepeatable law of Nature, every child succeeds to so much more of the property of the community as is necessary for his education. He is to receive this, not in the form of lands, or of gold and silver, but in the form of knowledge and a training to good habits. This is one of the steps in the transfer of property from a present to a succeeding generation. Human sagacity may be at fault in fixing the amount of property to be transferred or the time when the transfer should be made to a dollar or to an hour; but certainly, in a republican government, the obligation of the predecessors, and the right of the successors, extend to and embrace the means of such an amount of education as will prepare each individual to perform all the duties which devolve upon him as a man and a citizen. It may go farther than this point: certainly, it cannot fall short of it.

Under our political organization the places and the processes where this transfer is to be provided for, and its amount determined, are the district-school meeting, the town-meeting, legislative halls, and conventions for establishing or revising the fundamental laws of the State. If it be not done there, society is false to its high trusts; and any community, whether national or state, that ventures to organize a government, or to administer a government already organized, without making provision for the free education of all its children, dares the certain vengeance of Heaven; and in the squalid forms of poverty and destitution, in the scourges of violence and misrule, in the heart-destroying corruptions of licentiousness and debauchery, and in political profligacy and legalized perfidy, in all the blended and mutually aggravated crimes of civilization and barbarism, will be sure to feel the terrible retributions of its delinquency.

I bring my argument on this point, then, to a close; and I present a test of its validity, which, as it seems to me, defies denial or evasion.

In obedience to the laws of God and to the laws of all civilized communities, society is bound to protect the natural life of children; and this natural life cannot be protected without the appropriation and use of a portion of the property which society possesses. We prohibit infanticide under penalty of death. We practise a refinement in this particular. The life of an infant is inviolable, even before he is born; and he who feloniously takes it, even before birth, is as subject to the extreme penalty of the law as though he had struck down manhood in its vigor, or taken away a mother by violence from the sanctuary of home where she blesses her offspring. But why preserve the natural life of a child, why preserve unborn embryos of life, if we do not intend to watch over and to protect them, and to expand their subsequent existence into usefulness and happiness? As individuals, or as an organized community, we have no natural right, we can derive no authority or countenance from reason, we can cite no attribute or purpose of the divine nature, for giving birth to any human being, and then inflicting upon that being the curse of ignorance, of poverty, and of vice, with all their attendant calamities. We are brought, then, to this startling but inevitable alternative,—the natural life of an infant should be extinguished as soon as it is born, or the means should be provided to save that life from being a curse to its possessor; and, therefore, every State is morally bound to enact a code of laws legalizing and enforcing infanticide or a code of laws establishing free schools.

The three following propositions, then, describe the broad and ever-during foundation on which the common-school system of Massachusetts reposes:—

The successive generations of men, taken collectively, constitute one great commonwealth.

The property of this commonwealth is pledged for the education of all its youth, up to such a point as will save them from poverty and vice, and prepare them for the adequate performance of their social and civil duties.

The successive holders of this property are trustees, bound to the faithful execution of their trust by the most sacred obligations; and embezzlement and pillage from children and descendants have not less of criminality, and have more of meanness, than the same offences when perpetrated against contemporaries.

Recognizing these eternal principles of natural ethics, the Constitution of Massachusetts, the fundamental law of the State, after declaring (among other things) in the preamble to the first section of the fifth chapter that "the encouragement of arts and sciences and all good literature tends to the honor of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America," proceeds, in the second section of the same chapter, to set forth the duties of all future legislators and magistrates in the following noble and impressive language:—

"Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties, and as these depend on spreading the opportunities and advantages of education in the various parts of the country and among the different orders of the people, it shall be the duty of legislatures and magistrates in all future periods of this Commonwealth to cherish the interests of literature and the sciences, and all seminaries of them, especially the university of Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trade, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings, sincerity, good humor, and all social affections and generous sentiments among the people." See also Rev. Stat., ch. 23, sect. 7.

Massachusetts is *parental* in her government. More and more, as year after year rolls by, she seeks to substitute prevention for remedy, and rewards for penalties. She strives to make industry the antidote to poverty, and to counterwork the progress of vice and crime by the diffusion of knowledge and the culture of virtuous principles. She seeks not only to mitigate those great physical and mental calamities of which mankind are the sad inheritors, but also to avert those infinitely greater moral calamities which form the disastrous heritage of depraved passions. Hence it has long been her policy to endow or to aid asylums for the cure of disease. She succors and maintains all the poor within her borders, whatever may have been the land of their nativity. She founds and supports hospitals for restoring reason to the insane; and even for those

violators of the law whom she is obliged to sequester from society she provides daily instruction and the ministrations of the gospel at the public charge. To those who, in the order of Nature and Providence, have been bereft of the noble faculties of hearing and of speech, she teaches a new language, and opens their imprisoned minds and hearts to conversation with men and to communion with God; and it hardly transcends the literal truth to say that she gives sight to the blind. For the remnants of those aboriginal tribes, who for so many ages roamed over this land without cultivating its soil or elevating themselves in the scale of being, her annual bounty provides good schools; and, when the equal, natural, and constitutional rights of the outcast children of Africa were thought to be invaded, she armed her courts of judicature with power to punish the aggressors. The public highway is not more open and free for every man in the community than is the public school-house for every child; and each parent feels that a free education is as secure a part of the birthright of his offspring as Heaven's bounties of light and air. The State not only commands that the means of education shall be provided for all, but she denounces penalties against all individuals, and all towns and cities, however populous or powerful they may be, that shall presume to stand between her bounty and its recipients. In her righteous code the interception of knowledge is a crime; and, if parents are unable to supply their children with books, she becomes a parent, and supplies them. . . .

Public sentiment exceeds and excels the law. Annually vast sums are given for eleemosynary and charitable purposes,—to promote the cause of temperance, to send the gospel to the heathen, and to diffuse the doctrines of peace, which are the doctrines of the Prince of Peace.

For public, free education alone, including the direct outlay of money and the interest on capital invested, Massachusetts expends annually more than a million of dollars. To support religious institutions for the worship of God and the salvation of men she annually expends more than another million, and what she gives away in the various forms of charity far exceeds a third sum of equal magnitude. She explores the world for new objects of beneficence; and, so deep and common is the feeling which expects and prompts all this that she is gradually changing and ennobling the definition of a cardinal word in the language of morals,—doing what no king or court with

all their authority, nor royal academy with all its sages and literary men, can do: she is changing the meaning of *charity* into *duty*.

For the support of the poor, nine-tenths of whose cost originate with foreigners or come from one prolific vice, whose last convulsive energies she is now struggling to subdue, she annually pays more than three hundred thousand dollars; for the support and improvement of public highways, she pays a much larger sum; and, within the last dozen or fourteen years, she has invested a capital in railroads, within and without the State, of nearly or quite sixty millions of dollars.

Whence comes her means to give with each returning year more than a million of dollars to public education, more than another million to religion, and more than a third to ameliorate and succor the afflicted and the ignorant at home, and to bless, in distant lands, those who sit in the region and shadow of death? How does she support her poor, maintain her public ways, and contribute such vast sums for purposes of internal improvement, besides maintaining her immense commercial transactions with every zone in the world?

Has she a vast domain? Her whole territory would not make a court-yard of respectable dimensions to stand in front of many of the states and territories belonging to the Union. Does she draw revenues from conquered provinces or subjugated realms? She conquers nothing, she subdues nothing, save the great elemental forces of Nature, which God gives freely, whenever and wherever they are asked for in the language of genius and science, and in regard to which no profusion or prodigality to one can diminish the bounty always ready for others.

Does she live by the toil of a race of serfs and vassals whom she holds in personal and hereditary bondage? — by one comprehensive and sovereign act of violence seizing upon both body and soul at once, and superseding the thousand acts of plunder which make up the life of a common robber? Every man who treads her sacred soil is free; all are free alike; and within her borders, for any purpose connected with human slavery, iron will not be welded into a fetter.

Has she rich mines of the precious metals? In all her coffers there is not a drachm of silver or of gold which has not been obtained by the sweat of her brow or the vigor of her brain.

Has she magazines of mineral wealth imbedded in the earth? or are her soil and climate so spontaneously exuberant that she reaps luxuriant harvests from uncultivated fields? Alas! the orator has barbed his satire by declaring her only natural productions to be granite and ice.

Whence, then, I again ask, comes her wealth? I do not mean the gorgeous wealth which is displayed in the voluptuous and too often enervating residences of the affluent, but that *golden mean* of property—such as Agur asked for in his perfect prayer—which carries blessings in its train to thousands of householders, which spreads solid comfort and competence through the dwellings of the land, which furnishes the means of instruction, of social pleasures and refinement to the citizens at large, which saves from the cruel sufferings and the more cruel temptations of penury. The families scattered over her hills and along her valleys have not merely a shelter from the inclemencies of the seasons, but the sanctuary of a home. Not only food, but books, are spread upon their tables. Her commonest houses have the means of hospitality. They have appliances for sickness, and resources laid up against accident and the infirmities of age. Whether in her rural districts or her populous towns, a wandering, native-born beggar is a prodigy; and the twelve millions of dollars deposited in her savings institutions do not more loudly proclaim the frugality and providence of the past than they foretell the competence and enjoyment of the future.

One copious, exhaustless fountain supplies all this abundance. It is education,—the intellectual, moral, and religious education of the people. Having no other mines to work, Massachusetts has mined into the human intellect; and, from its limitless resources, she has won more sustaining and enduring prosperity and happiness than if she had been founded on a stratification of silver and gold, reaching deeper down than geology has yet penetrated. From her high religious convictions she has learned that great lesson,—*to set a value upon time*. Regarding the faculties as the gift of God, she has felt bound both to use and to improve them. Mingling skill, and intelligence with the daily occupations of life, she has made labor honorable; and, as a necessary consequence, idleness is disgraceful. Knowledge has been the ambition of her sons, and she has revered and venerated the purity and chastity of her matrons and her daughters. At the hearthstone, at the

family table, and at the family altar,— on all those occasions where the structure of the youthful character is *buildded up*,— these sentiments of love for knowledge, and of reverence for maidenly virtue, have been *buildded in*; and there they stand, so wrought and mingled with the fibres of being that none but God can tell which is Nature and which is education, which we owe primarily to the grace of Heaven and which to the co-operating wisdom of the institutions of men. . . . He who studies the present or the historic character of Massachusetts will see (and he who studies it most profoundly will see most clearly) that whatever of abundance, of intelligence, or of integrity, whatever of character at home or of renown abroad, she may possess, all has been evolved from the enlightened and, at least, partially Christianized mind, not of a few, but of the great masses, of her people. They are not the result of outward riches or art brought around it or laminated over it, but of an awakened inward force, working energetically outwards, and fashioning the most intractable circumstances to the dominion of its own desires and resolves; and this force has been awakened and its unspent energies replenished, more than from all things else, by her common schools.

When we witness the mighty achievements of art,— the locomotive, taking up its burden of a hundred tons, and transporting it for hundreds of miles between the rising and the setting sun; the steamboat, cleaving its rapid way, triumphant over wind and tide; the power-loom, yielding products of greater richness and abundance in a single day than all the inhabitants of Tyre could have manufactured in years; the printing-press, which could have replaced the Alexandrian Library within a week after it was burnt; the lightning, not only domesticated in the laboratories of the useful arts, but employed as a messenger between distant cities; and galleries of beautiful paintings, quickened into life by the sunbeams,— when we see all these marvels of power and of celerity, we are prone to conclude that it is to them we are indebted for the increase of our wealth and for the progress of our society. But were there any statistics to show the aggregate value of all the thrifty and gainful habits of the people at large, the greater productiveness of the educated than of the brutified laborer, the increased power of the intelligent hand, and the broad survey and deep intuition of the intelligent eye; could we see a ledger account of the profits which come from forethought, order, and system as they preside

over all our farms, in all our workshops, and emphatically in all the labors of our households,— we should then know how rapidly their gathered units swell into millions upon millions. The skill that strikes the nail's head instead of the fingers' ends, the care that mends a fence and saves a cornfield, that drives a horseshoe nail and secures both rider and horse, that extinguishes a light and saves a house, the prudence that cuts the coat according to the cloth, that lays by something for a rainy day and that postpones marriage until reasonably sure of a livelihood, the forethought that sees the end from the beginning, and reaches it by the direct route of an hour instead of the circuitous gropings of a day, the exact remembrance impressed upon childhood to do the errand as it was bidden, and, more than all, the economy of virtue over vice, of restrained over pampered desires,— these things are not set down in the works on political economy; but they have far more to do with the wealth of nations than any laws which aim to regulate the balance of trade, or any speculations on capital and labor, or any of the great achievements of art. That vast variety of ways in which an intelligent people surpass a stupid one, and an exemplary people an immoral one, has infinitely more to do with the well-being of a nation than soil or climate, or even than government itself, excepting so far as government may prove to be the patron of intelligence and virtue.

From her earliest colonial history the policy of Massachusetts has been to develop the minds of all her people, and to imbue them with the principles of duty. To do this work most effectually, she has begun it with the young. If she would continue to mount higher and higher toward the summit of prosperity, she must continue the means by which her present elevation has been gained. In doing this, she will not only exercise the noblest prerogative of government, but will cooperate with the Almighty in one of his sublimest works.

Horace Mann's greatest services to education must be sought in the field of institutions, organization, administration, legislation, and public opinion. He was a great constructive pedagogist, a wise educational statesman, an eloquent tribune of the common school. He called upon the people of all classes, as with the voice of a herald, to raise their estimate of public instruction, and to provide better facilities by which it could be furnished. He devised or

adopted new educational agencies, and persuaded the people to use them. He organized public opinion, and influenced the action of legislatures. He gave men higher ideas of the work and character of the teacher at the same time that he taught the teacher to magnify his office. He heightened the popular estimate of the instruments that are conducive and necessary to the existence of good schools. He elevated men's ideas of the value of ethical training, and made valuable suggestions looking to its prosecution. But his great theme was the relation of intellectual and moral knowledge to human well-being, individual and social. Here his faith never faltered, his ardor never cooled. In no other name did he trust for the safety of society. A confirmed rationalist, he looked with supreme confidence to the healing power of popular intelligence and virtue. In his successive reports and addresses he set forth his faith, and the grounds of it, with wonderful force of statement and fertility of illustration. To him the old theme was ever new and ever fascinating. He poured into the body politic a large measure of his own lofty faith, his great unselfishness, his burning enthusiasm. He believed in the democratizing movement of modern times, and preached the perfectibility of man. It was in this way that, as Mr. Parker said, he took up the common schools of Massachusetts in his arms and blessed them. No doubt he committed the mistake that rationalists are always prone to commit,—that of overestimating the power of intelligence as a means to virtue. Still, it is perfectly obvious that a generous measure of such confidence is a prerequisite to the efficiency and even to the existence of public schools, and that it forms the very foundation of democratic government.—*Hinsdale.*

Horace Mann was the great leader in the Common School Revival in New England in the middle of the present century. The Massachusetts State Board of Education was created in 1837, through the efforts of James G. Carter and others; and Mann became its first secretary, holding the position until 1848. His influence upon educational thought and sentiment, not only in Massachusetts, but throughout the country, was unparalleled. To him more, perhaps, than to any other, our common-school system is indebted for its remarkable development during the last half of the century. His twelve annual reports, each devoted to distinct subjects, are classics in our educational literature. The tenth report, that of 1846, is given in the present leaflet, almost in its entirety. A brief outline of the twelve reports may be found in Hinsdale's little volume upon Mann, chap. vii; also in Dr. William T. Harris's address at the Mann Centennial, printed in the Report of the Commissioner of Education, 1895-96, vol. i. All of these reports are printed in full in the *Life and Works of Horace Mann*, 5 vols.; and here also (vol. ii.) may be found the seven lectures delivered by Mann in successive years before the various county conventions of the State. The third and fifth of these lectures, "The Necessity of Education in a Republican Government" and "An



Historical View of Education, showing its Disadvantages, are especially commended to the student as re-enforcing the considerations urged in the report reprinted in the present leaflet.

A thorough life of Horace Mann, by Mrs. Mann, occupies the first of the five volumes of the *Life and Works*; and there is an admirable brief biography by Prof. B. A. Hinsdale in the "Great Educators" series, which contains, in an appendix, an excellent bibliography. The survey of the period, in this little volume, is most discriminating; and Dr. Hinsdale performs a distinct service in directing attention so intelligently and justly to Mann's forerunners, and especially to James G. Carter, "the one man who did more to cast up a highway for Horace Mann than any other." "To him," says Henry Barnard, "more than to any other one person belongs the credit of having first attracted the attention of the leading minds of Massachusetts to the necessity of immediate and thorough improvement in the system of free or public schools." George B. Emerson rightly bestowed upon him the title of "Father of Normal Schools"; and Dr. Hinsdale pronounces his *Letters on the Free Schools of New England* "incomparably the best existing mirror of education in New England in the first quarter of this century." This, and his *Essays upon Popular Education*, the closing essay of which outlines the modern Normal School, should be read by the student who would understand the situation into which Horace Mann entered, and by the general student of the history of education in America in the nineteenth century.

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